



US Army Corps
Of Engineers
Wilmington District

PUBLIC NOTICE

Issue Date: February 10, 2005
Comment Deadline: March 14, 2005
Corps Action ID #: 200400210

All interested parties are hereby advised that the Wilmington District, Corps of Engineers (Corps) has received an application for work within jurisdictional waters of the United States. Specific plans and location information are described below and shown on the attached plans. This Public Notice and all attached plans are also available on the Wilmington District Web Site at www.saw.usace.army.mil/wetlands

Applicant: *Central Carolina Tire
c/o Thomas Womble
1616 McKoy Town Rd.
Cameron, NC 28326*

AGENT (if applicable): *Withers & Ravenel
c/o Stefan Bray
111 MacKenan Drive
Cary, NC 27511*

Consultant: *The Brigman Company
c/o Joseph Floyd
P.O. Box 1532
Conway, SC 29528*

Authority

The Corps will evaluate this application and decide whether to issue, conditionally issue, or deny the proposed work pursuant to applicable procedures of Section 404 of the Clean Water Act (33 USC 1344).

Location

The proposed project would be located along NC 24/27 southeast of Cameron, Harnett County. The existing plant and expansion area is located 8,500' south of the intersection of NC Hwy 24/27 and SR 1105 (McKoy Town Rd.) one mile northeast of Lake Surf. The site is situated within the headwaters of an unnamed tributary to Buffalo Creek, which ultimately drains into the Little River. The site can be located at 35 15.80 N 79 08.67 W.

Existing Site Conditions

The following existing site conditions description was taken from the applicant's application. The site lies within the coastal plain physiographic province of North Carolina. The proposed landfill site is located proximal to the Fall Line in the southwest portion of the Inner Coastal Plain in the subdivision known as the Sandhills. The soils within the subject area are predominately comprised of Gilead series (GaB) sand throughout the uplands, and Bibb series (Bb) sand throughout the wetlands consistent with the SCS soils survey for Harnett County.

The surrounding land use within ¼ mile of the proposed landfill is primarily residential housing, hog farming, and forestry. Adjacent property to the northwest and northeast of the landfill is primarily open pasture, which is wooded in the vicinity of drainage features within the pasture. The area to the east and south of the proposed expansion is primarily undeveloped and wooded. Animal operations are located south and west of the landfill property.

There are approximately 40 acres of fresh water wetlands occurring within the limits of the proposed project. The dominant wetland community occurring on-site can be classified as a Sandhill Seep. The applicant's research describes the primary wetland type located on the property as: PSS4B – Palustrine, scrub shrub, needle leaved evergreen, seasonally saturated (based on U.S. Fish and Wildlife Service Cowardin classification system). According to the field surveys conducted by the applicant the aforementioned classification appears accurate with few exceptions. The applicant's field study showed that the dominant canopy species occurring within the wetland include Pond pine (*Pinus serotina*), Black Gum (*Nyssa biflora*), Yellow poplar (*Liriodendron tulipifera*) and Red Maple (*Acer rubrum*). The understory species include Ironwood (*Carpinus caroliniana*), American holly (*Ilex opaca*) and TiTi (*Cyrilla racemiflora*). The shrub layer includes fetterbush (*Lyonia lucida*), and highbush blueberry (*Vaccinium elliotii*). The surrounding upland area based on photography provided by the applicant appears to be dominated with Loblolly Pines (*Pinus taeda*) and Turkey Oak (*Quercus laevis*) situated on sandy ridges.

The existing Phase I/II of the landfill is located within the southwest corner of the existing property and currently encompasses approximately 40 acres. The first two phases impacted 1.7 acres of wetlands under Nationwide Permit 26 (AID # 199502781) issued in June 1995. The proposed phase three would be located in the north corner of the property. The applicant's recently purchased an additional plus or minus 60 acres of land east of the existing phases intended for a borrow area likely for the future reclamation of the site. The current landfill has an estimated three to four years of life expectancy.

Applicant's Stated Purpose

The applicants stated purpose is to expand one of only two permitted scrap tire disposal facilities within the State of North Carolina. The applicants stated need for their continued recycling operation to offset the increased need for dependency on land fills.

Project Description

The applicant proposes to construct the phase three tire landfill on the north side of the existing tract of land. The applicant states that due to the distribution of onsite wetland resources the construction will require the discharge of fill material into 1.96 acres of jurisdictional freshwater wetlands. The applicant states that the purpose of the impact is to provide for a landfill footprint that will serve to maximize the available disposal area. This symmetrical design is the most desirable from a cost/capacity standpoint. The applicant states that the significance of this scenario is that it allows Central Carolina Tire to utilize existing on-site facilities and equipment along with a viable construction/operation cost. The construction of phase three is projected to serve the capacity needs for the applicant's current customers through year 2050.

The applicant has investigated three alternatives; no action, piggyback with phase I/II, and the aforementioned plan. The no action alternative would place the entire landfill on highground completely avoiding all wetland impacts. This alternative would create an asymmetrical design, almost in the shape of a horseshoe, which has been deemed uneconomically viable by the applicant. The asymmetrical design would result in 1.82M cubic yards of capacity whereas this number would almost double to 3.59M cubic yards with the proposed wetland fill. The no action alternative would reduce the life expectancy of the project by 59%. The applicant states that that no action alternative would increase the facility's overall cost by approximately 180%.

The piggyback approach is deemed the most economically feasible as it simply expands the landfill directly north filling 5.4 acres of wetlands. This approach was rejected by the applicant because of the magnitude of wetland impacts required.

Other Required Authorizations

This notice and all applicable application materials are being forwarded to the appropriate State agencies for review. The Corps will generally not make a final permit decision until the North Carolina Division of Water Quality (NCDWQ) issues, denies, or waives State certification required by Section 401 of the Clean Water Act (PL 92-500). The receipt of the application and this public notice in the NCDWQ Central Office in Raleigh serves as application to the NCDWQ for certification. A waiver will be deemed to occur if the NCDWQ fails to act on this request for certification within sixty days of the date of the receipt of this notice in the NCDWQ Central Office. Additional information regarding the Clean Water Act certification may be reviewed at the NCDWQ Central Office, 401 Oversight and Express Permits Unit, 2321 Crabtree Boulevard, Raleigh, North Carolina 27604-2260. All persons desiring to make comments regarding the

application for certification under Section 401 of the Clean Water Act should do so in writing and delivered to the North Carolina Division of Water Quality (NCDWQ), 1650 Mail Service Center, Raleigh, North Carolina 27699-1650, Attention: Mr. John Hennessy (NC Department of Transportation projects) or Ms Cyndi Karoly (all other projects) by March 7, 2005.

Essential Fish Habitat

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The Corps' initial determination is that the proposed project will not adversely impact EFH or associated fisheries managed by the South Atlantic or Mid Atlantic Fishery Management Councils or the National Marine Fisheries Service.

Cultural Resources

The Corps has consulted the latest published version of the National Register of Historic Places and is not aware that any registered properties, or properties listed as being eligible for inclusion therein are located within the project area or will be affected by the proposed work. Presently, unknown archeological, scientific, prehistoric, or historical data may be located within the project area and/or could be affected by the proposed work.

Endangered Species

The Corps has reviewed the project area, examined all information provided by the applicant and consulted the latest North Carolina Natural Heritage Database. Based on available information, the Corps has determined pursuant to the Endangered Species Act of 1973, that the proposed project will have no effect on federally listed endangered or threatened species or their formally designated critical habitat.

Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values (in accordance with Executive Order 11988), land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. For activities involving the discharge of dredged or fill materials in waters of the United States, the evaluation of

the impact of the activity on the public interest will include application of the Environmental Protection Agency's 404(b)(1) guidelines.

Commenting Information

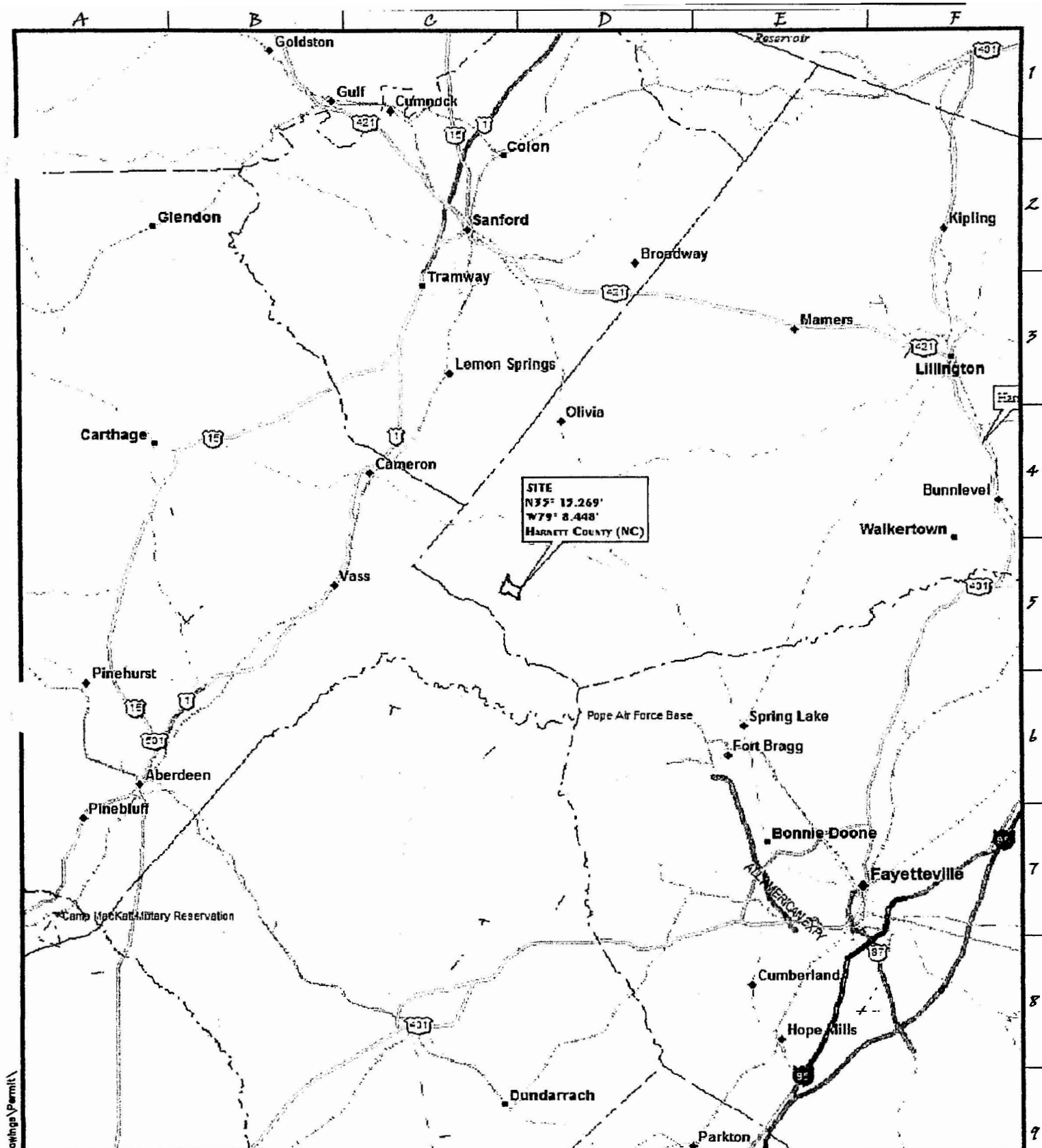
The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement (EIS) pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing shall be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

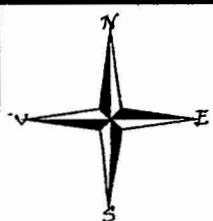
Written comments pertinent to the proposed work, as outlined above, will be received by the Corps of Engineers, Wilmington District, until 5pm, March 14, 2005. Comments should be submitted to Brad Shaver, Regulatory Specialist at (910) 251-4611.

FIGURES

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|------------------|-----------------------------|
| Figure 1: | Project Location Map |
| Figure 2: | Overall Plan |
| Figure 3: | Detail Plan View |
| Figure 4: | Plan/Section View |



10784-04083 Drawings Permit
 10/6/04



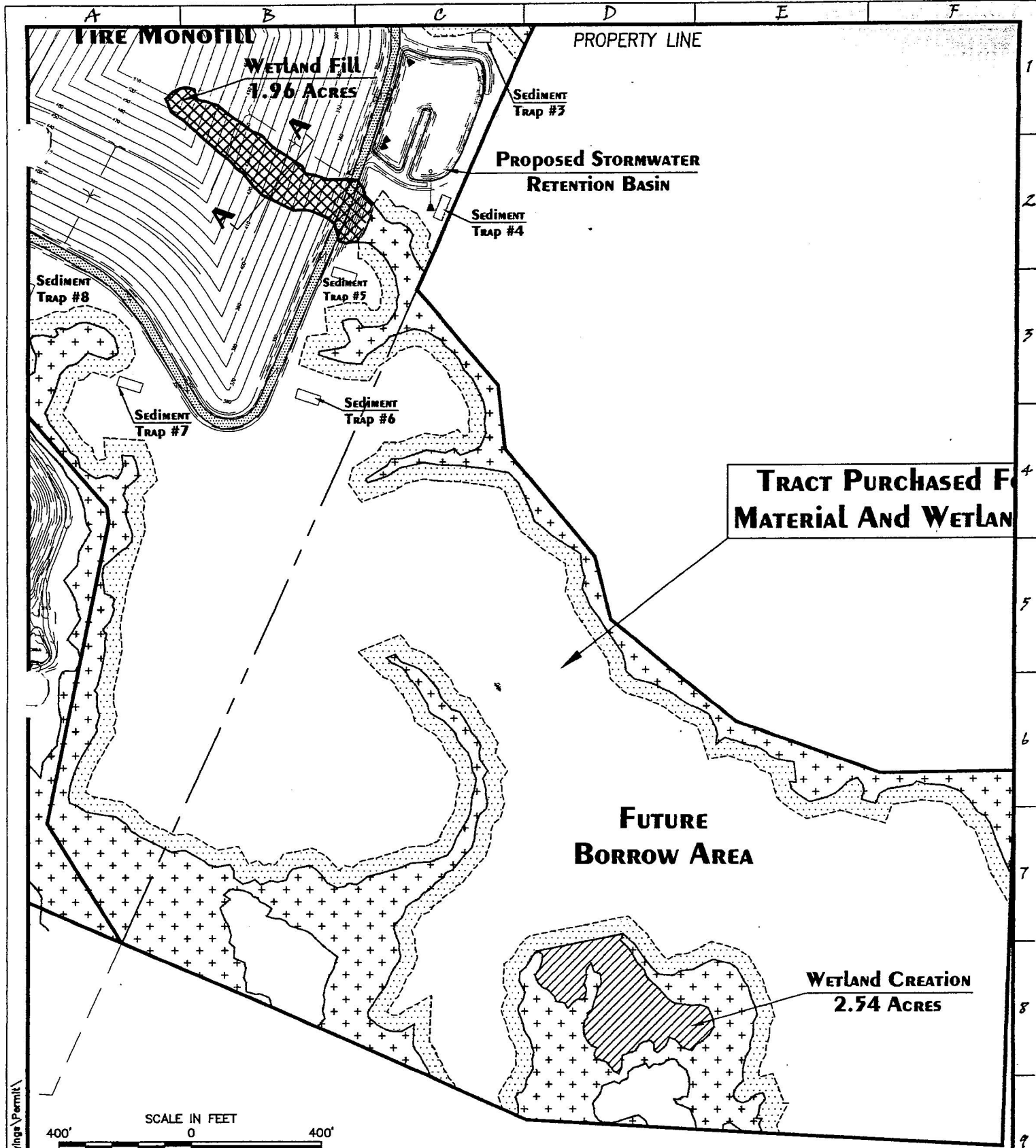
PROJECT LOCATION MAP

CENTRAL CAROLINA TIRE
 PHASE III MONOFILL LANDFILL
 HARNETT COUNTY, NORTH CAROLINA
 INDIVIDUAL PERMIT 404 APPLICATION

DATE: 10/6/04
 APPLICATION NO. _____

PAGE 1/4

	TOTAL PROP. AREA	330.45 ACRES
+++	ORIG. WETLANDS	29.19 ACRES
XXX	WETLAND FILL	1.96 ACRES
	WETLAND EXCAVATION	0.00 ACRES
....	UPLAND BUFFER	34.17 ACRES
+++	WETLAND PRESERVATION	27.23 ACRES
///	WETLAND RESTORATION	2.54 ACRES



DETAIL PLAN VIEW

CENTRAL CAROLINA TIRE
PHASE III MONOFILL LANDFILL
HARNET COUNTY, NORTH CAROLINA
INDIVIDUAL PERMIT 404 APPLICATION

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Tire Monofill

WETLAND Fill
1.96 ACRES

**Sediment
Trap #3**

**Proposed
Retention**

**Sediment
Trap #4**

**Sediment
Trap #5**

**ENT
#8**

SCALE IN FEET

Upland

WETLAND

Upland

Tire Disposal

BASE

Fill

**SECTION A-A
N.T.S.**

PLAN/SECTION VIEW

**CENTRAL CAROLINA TIRE
PHASE III MONOFILL LANDFILL
HARNET COUNTY, NORTH CAROLINA
INDIVIDUAL PERMIT 404 APPLICATION**

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